IX

THE PREDICTIONS

OF

Hamilton and De Tocqueville

JOHNS HOPKINS UNIVERSITY STUDIES
IN
HISTORICAL AND POLITICAL SCIENCE
HERBERT B. ADAMS, Editor

History is past Politics and Politics present History — *Freeman*

FIFTH SERIES

IX

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OF
Hamilton and De Tocqueville

BY JAMES BRYCE, M. P.

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THE PREDICTIONS
OF
HAMILTON AND DE TOCQUEVILLE.

A student of American institutions who desires to discover what have been the main tendencies ruling and guiding their development, may find that the most dramatic and not the least instructive method of conducting his inquiry is to examine what were the views held, and the predictions delivered, at different points in the growth of the Republic, by acute and well-informed observers. The contemporary views of such men as to the tendencies which prevailed in their own day and the results to be expected from such tendencies have a value that no analysis made by us now, with our present lights, our knowledge of what has actually followed, could possess, because we cannot help reading into the records of the past the results of all subsequent experience.

To do this with any approach to completeness would be a laborious undertaking, for one would have to search through a large number of writings, some of them fugitive writings, in order to gather and present adequate materials for determining the theories and beliefs generally prevalent at any given period. I attempt nothing so ambitious. I desire merely to indicate, by a comparatively simple example, how such a method may be profitably followed, disclaiming any pretensions to have sought to exhaust even the obvious and familiar materials which all students of American history possess.

For this purpose, then, I will take two famous books—the one written at the very birth of the Union by those who watched its cradle, and recording incidentally, and therefore all the more faithfully, the impressions and anticipations of the friends and enemies of the infant Constitution; the other a careful study of its provisions and practical working by a singularly fair and penetrating European philosopher. I choose these books not only because both are specially representative and of rare literary merit, but because they are easily accessible to European readers, who may, by referring to their pages, supply the omissions which want of space will compel me to make, and may thereby obtain a more complete and graphic transcript of contemporary opinion. One of these books is the *Federalist*—a series of letters recommending the new Constitution for adoption to the people of New York, written in 1788 by Hamilton, Madison and Jay. The other, which falls almost exactly half-way between 1788 and our own time, is the *Democracy in America* of Alexis de Tocqueville.

I. The Ideas and Predictions of 1788.

I begin by briefly summarizing the record which the *Federalist* preserves for us of the beliefs of the opponents and advocates of the Draft Constitution of 1787 regarding the forces then at work in American politics and the probable future of the nation.

To understand those beliefs, however, we must bear in mind what the United States then were, and for that purpose I will attempt to recall the reader's attention to some of the more salient aspects of the Federal Republic at the epoch when its national life began.

In 1783 the last British soldier quitted New York—the last stronghold that was held for King George. In 1787 the present Constitution of the United States was framed by the Convention at Philadelphia and in 1788 accepted by the requisite number of States (nine). In 1789 George Washing-

ton entered on his Presidency, the first Congress met and the machine began to work.[1] It was a memorable year for Europe as well as for America—a year which, even after the lapse of a century, we are scarcely yet ripe for judging, so many sorrows as well as blessings, *πολλὰ μὲν ἐσθλὰ μεμίγμεν, πολλά δε λυγρά*, were destined to come upon mankind from those elections of the States-General which were proceeding in France while Washington was being installed at Philadelphia.

All of the thirteen United States lay along the Atlantic coast. Their area was 827,844 square miles, their population 3,929,214, less than the population of Pennsylvania in 1880. Settlers had already begun to cut the woods and build villages beyond the Alleghanies; but when Kentucky was received as a State into the Union in 1792, she had a population of only 73,677 (census of 1790). The population was wholly of English (or Anglo-Scotch) stock, save that a few Dutch were left in New York, a few persons of Swedish blood in Delaware, and some isolated German settlements in Pennsylvania. But in spite of this homogeneity the cohesion of the States was weak. Communication was slow, difficult and costly. The jealousies and suspicions which had almost proved fatal to Washington's efforts during the War of Independence were still rife. There was some real conflict and a far greater imagined conflict of interests between the trading and the purely agricultural States, even more than between the Slave States and those in which slavery had practically died out. Many competent observers doubted whether the new Federal Union, accepted only because the Confederation had proved a failure and the attitude of foreign powers was threatening, could maintain itself in the face of the strong sentiment of local independence animating colonies which after throwing off the yoke of Britain, were little inclined to brook any external control. The Constitution was an experiment, or

[1] North Carolina did not ratify the Constitution till November, 1789; Rhode Island not till May, 1790.

rather a bundle of experiments, whose working there were few data for predicting. It was a compromise, and its very authors feared for it the common fate of compromises—to satisfy neither party and to leave open rents which time would widen. In particular, it seemed most doubtful whether the two branches of the Legislature, drawn from so wide an area and elected on different plans, would work harmoniously, and whether general obedience would be yielded to an executive President who must necessarily belong to and seem to represent one particular State and district. Parties did not yet exist, for there was as yet hardly a nation; but within a decade they grew to maturity and ferocity. One of them claimed to defend local self-government, the rights of the people, democratic equality; the other, the principle of national unity and the authority of the Federal power. One sympathized with France, the other was accused of leaning to an English alliance. They were, or soon came to be, divided not merely on burning questions of foreign policy and home policy, but also—and this was an issue which mixed itself up with everything else—as to the extent of the powers to be allowed to the central Government and its relations to the States—questions which the curt though apparently clear language of the Constitution had by no means exhausted, though by specifying certain powers as granted and certain others as withheld, it had supplied data for legal argument on points not expressly dealt with as well as on the general theory of the Constitution.

Slavery was not yet a leading question—indeed it existed to some slight extent in the Middle as well as in the Southern States, but the opposition of North and South was already visible. The Puritanism of New England, its industries and its maritime commerce gave it different sentiments as well as different interests from those which dominated the inhabitants of the South, a population wholly agricultural, among whom the influence of Jefferson was strong, and doctrines of advanced democracy had made great progress.

There was great diversity of opinion and feeling on all

political questions in the America of those days, and the utmost freedom in expressing it. Over against the extreme democrats stood an illustrious group whose leader was currently believed to be a monarchist at heart, and who never concealed his contempt for the ignorance and folly of the crowd. Among these men, and to a less extent among the Jeffersonians also, there existed no small culture and literary power, and though the masses were all orthodox Christians and except in Maryland, orthodox Protestants, there was no lack of scepticism in the highest circles. One may speak of highest circles, for social equality, though rapidly advancing and gladly welcomed, was as yet rather a doctrine than a fact: and the respect for every kind of authority was great. There were neither large fortunes, nor abject poverty: but the working class, then much smaller relatively than it is now, deferred to the middle class, and the middle class to its intellectual chiefs. The clergy were powerful in New England: the great colonial families enjoyed high consideration in New York, in Pennsylvania, and above all in Virginia, whose landowners seemed to reproduce the later feudal society of England. Although all the States were republics of a hue already democratic, every State constitution required a property qualification for the holding of office or a seat in the legislature, and, in most States, a similar condition was imposed even on the exercise of the suffrage. Literary men (other than journalists) were rare, the universities few and unimportant, science scarcely pursued, philosophy absorbed in theology and theology dryly dogmatic. But public life was adorned by many striking figures. Five men at least of that generation, Washington, Hamilton, Franklin, Jefferson and Marshall, belong to the history of the world; and a second rank which included John Adams, Madison, Jay, Patrick Henry, Gouverneur Morris, James Wilson, Albert Gallatin, and several other gifted figures less familiar to Europe, must be mentioned with respect.

Everybody professed the principles of the Declaration of Independence and therefore held a republican form of gov-

ernment to be the only proper, or at any rate the only possible form for the central authority as well as for the States. But of the actual working of republican governments there was very little experience, and of the working of democracies, in our present sense of the word, there was really none at all beyond that of the several States since 1776, when they broke loose from the British Crown. Englishmen and Americans are more likely than Continentals to forget that in 1788 there was in the Old World only one free nation and no democracy.[1] In Europe now there remain but two strong monarchies, those of Russia and Prussia, while America, scarcely excepting Brazil and Canada, is entirely (at least in name) republican. But the world of 1788 was a world full of kings—despotic kings—a world which had to go back for its notions of popular government to the commonwealths of classical antiquity. Hence the speculations of those times about the dangers, the merits, the characteristic tendencies and methods of free governments under modern conditions, were and must needs be vague and fanciful, because the materials for a sound induction were wanting. Wise men when forced to speculate, recurred to the general principles of human nature. Ordinary men went off into the air and talked at large, painting a sovereign people as reckless, violent, capricious on the one hand, or virtuous and pacific on the other according to their own predilections, whether selfish or emotional, for authority or for liberty. Though no one has yet written the natural history of the masses as rulers, the hundred years since 1788 have given us materials for such a natural history surpassing those which Hamilton possessed almost as much as the materials at the disposal of Darwin exceeded those of Buffon. Hence in judging the views of the *Federalist* writers[2] and their antagonists, we must

[1] The Swiss Confederation was scarcely yet a nation, and the few democratic cantons were so small as hardly to come into account.

[2] Of these writers Hamilton must be deemed the leading spirit, not merely because he wrote by far the larger number of letters, but because his mind was more independent and more commanding than Madison's. The latter

expect to find the diagnosis often inexact and the forecast fanciful.

Those who opposed the Constitution of 1787, a party both numerous and influential in nearly every State, were the men specially democratic and also specially conservative. They disliked all strengthening of government, and especially the erection of a central authority. They were satisfied with the system of sovereign and practically independent States. Hence they predicted the following as the consequences to be expected from the creation of an effective Federal executive and legislature.[1]

1. The destruction of the States as commonwealths. The central government, it was said, would gradually encroach upon their powers; would use the federal army to overcome their resistance; would supplant them in the respect of their citizens; would at last absorb them altogether. The phrase "consolidation of the Union," which had been used by the Convention of 1787 to recommend its draft, was laid hold of as a term of reproach. "Consolidation," the consolidation of the States into one centralized government became the popular cry, and like other plausible catchwords, carried away the unthinking.

2. The creation of a despot in the person of the President. His legal authority would be so large as not only to tempt him, but to enable him to extend it further, at the expense of the liberties both of States and of people. "Monarchy," it was argued, "thrown off after such efforts, will in substance return with this copy of King George III, whose command of the federal army, power over appointments, and opportunities for intriguing with foreign powers on the one hand and corrupting

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rendered admirable service in the Philadelphia Convention of 1787, but afterwards yielded to the (in the main unfortunate) influence of Jefferson, a character with less purity but more vehemence.

[1] I take no account of those objections to the Constitution which may be deemed to have been removed by the first eleven amendments.

the legislature on the other,[1] will render the new tyrant more dangerous than the old one. Or if he be more open to avarice than to ambition, he will be the tool of foreign sovereigns and the means whereby they will control or enslave America."[2]

3. The Senate will become an oligarchy. Sitting for six years, and not directly elected by the people, it "must gradually acquire a dangerous preëminence in the government, and finally transform it into a tyrannical aristocracy."[3]

4. The House of Representatives will also, like every other legislature, aim at supremacy. Elected only once in two years, it will forget its duty to the people. It will consist of "the wealthy and well-born," and will try to secure the election of such persons only as its members.[4]

5. The larger States will use the greater weight in the government which the Federal constitution gives them to overbear the smaller.

6. The existence of a strong central government is likely, not only by multiplying the occasions of diplomatic intercourse

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[1] See Federalist, No. LIV.

[2] Federalist, No. LXVI, p. 667. "Calculating upon the aversion of the people to monarchy, the writers against the Constitution have endeavored to enlist all their jealousies and apprehensions in opposition to the intended President of the United States, not merely as the embryo but as the full grown progeny of that detested parent. They have to establish the pretended affinity, not scrupled to draw resources even from the regions of fiction. The authority of a magistrate in few instances greater, in some instances less, than those of a Governor of New York, have been magnified into more than royal prerogatives. He has been decorated with attributes superior in dignity and splendour to those of a King of Great Britain. He has been shewn to us with the diadem sparkling on his brow and the imperial purple flowing in his train. He has been seated on a throne surrounded with minions and mistresses, giving audience to the envoys of foreign potentates in all the supercilious pomp of majesty. The images of Asiatic despotism and voluptuousness have scarcely been wanting to crown the exaggerated scene. We have been taught to tremble at the terrific visages of murdering janizaries, and to blush at the unveiled mysteries of a future seraglio."

[3] Federalist, No. LXII.

[4] Federalist, Nos LVI and LIX.

with foreign powers, to give openings for intrigues by them dangerous to American freedom, but also to provoke foreign wars, in which the republic will perish if defeated, or if victorious, maintain herself only by vast expenditure, with the additional evil of having created an army dangerous to freedom.

That some of these anticipations were inconsistent with others of them was no reason why the same persons should not resort to both in argument. Any one who wishes to add to the number, for I have quoted but a few, being those which turn upon the main outlines of the Philadelphia draft, may do so by referring to the record of the discussions in the several State Conventions which deliberated on the new Constitution, known as Elliott's Debates.

I pass from the opponents of the Constitution to its advocates. Hamilton and its friends sought in it a remedy against what they deemed the characteristic dangers of popular government. It is by dwelling on these dangers that they recommend it. We can perceive, however, that, while lauding its remedial power, they are aware how deep-seated such dangers are, and how likely to recur even after the adoption of the Constitution. It is plain from the language which Hamilton held in private that he desired a stronger and more centralized government, which would have approached nearer to that British Constitution which he regarded as being, with all its defects, the best model for free nations.[1] And in a remarkable letter written in February, 1802, under the influence of disappointment with the course events were then taking, he calls the Constitution he was "still labouring to prop" a "frail and worthless fabric."

We may therefore legitimately treat his list of evils to be provided against by the new federal government as indicating the permanently mischievous tendencies which he foresaw.

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[1] Though he, like other observers of that time had not realized, and might not have relished, the supremacy, now become omnipotence, which the House of Commons had already won.

Some of them, he is obliged to admit, can not be wholly averted by any constitutional devices, but only by the watchful intelligence and educated virtue of the people.

The evils chiefly feared are the following:

1. The spirit and power of faction, which is so clearly the natural and necessary offspring of tendencies always present in mankind, that wherever liberty exists it must be looked for.[1]

Its causes are irremovable; all you can do is to control its effects, and the best prospect of overcoming them is afforded by the representative system and the size of America with the diversities among its population.

2. Sudden impulses, carrying the people away and inducing hasty and violent legislative measures.[2]

3. Instability in foreign policy, due to changes in the executive and in public sentiment, and rendering necessary the participation of a comparatively small council or Senate in the management of this department.

4. Ill-considered legislation, "facility and excess of lawmaking,"[3] and "inconstancy and mutability in the laws,"[4] form the "greatest blemish in the character and genius of our governments."

5. The Legislature is usually the strongest power in free governments. It will seek, as the example of the English Parliament shows, to encroach upon the other departments; and this is especially to be feared from the House of Representatives as holding the power of the purse.[5]

6. The States, and especially the larger States, may overbear the Federal government. They have closer and more

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[1] Federalist, No. X (written by Madison) and in other letters.

[2] Federalist, No. LXII.

[3] Federalist, No. LXI.

[4] Federalist, No. LXXII.

[5] "The Legislative Department is everywhere (*i. e.*, in all the States) extending the sphere of its activity and drawing all power into its impetuous vortex. . . . It is against the enterprising ambition of this department that the People ought to indulge all their jealousy and exhaust all their precautions." Federalist, No. XLVII.

constant relations with the citizen, because they make and administer the ordinary laws he lives under. His allegiance has hitherto belonged to them and may not readily be acquired by the central authority. In a struggle, should a struggle come, State power is likely to prevail against federal power.

7. There is in republics a danger that the majority may oppress the minority. Already conspicuous in some of the State governments, as for instance Rhode Island, this danger may be diminished by the application of the federal system to the great area of the Union, where "society will be broken into so many parts, interests and classes of citizens, that the lights of individuals or of the minority will be in little danger from interested combinations of the majority."[1]

8. Another source of trouble is disclosed by the rash experiments which some States have tried, passing laws which threaten the validity of contracts and the security of property. As there is unwisdom in these, so there are signs of weakness in the difficulty which State governments have found in raising revenue by direct taxation.[2] Citizens whose poverty does not excuse their want of public spirit refuse to pay; and the administration fears to coerce them.

Not less instructive than the fears of the *Federalist* writers are their hopes. Some of the perils which have since disclosed themselves are not divined. Some institutions which have conspicuously failed are relied on as full of promise.

The method of choosing the President is recommended with a confidence the more remarkable because it was the point on which the Convention had been most divided and had last arrived at an agreement.

"The mode of appointment of the Chief Magistrate of the United States is almost the only part of the system, of any consequence, which has escaped without severe censure, or which has received the slightest mark of approbation from its

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[1] Federalist, No. L.
[2] Federalist, No. XII.

opponents. . . . If the manner of it be not perfect, it is at least excellent. It unites in an eminent degree all the advantages the union of which was to be wished for. . . . The process of election affords a moral certainty that the office of President will never fall to the lot of any one who is not in an eminent degree endowed with the requisite qualifications. Talents for low intrigue, and the little arts of popularity may alone suffice to elevate a man to the first honors in a single State, but it will require other talents and a different kind of merit to establish him in the confidence and esteem of the whole Union, or of so considerable a portion of it as would be necessary to make him a successful candidate for the distinguished office of President of the United States. It will not be too strong to say that there will be a constant probability of seeing the station filled by characters preëminent for ability and virtue."[1]

It is assumed that America will continue an agricultural and (to a less extent) a commercial country, but that she will not develop manufactures; and also that the fortunes of her citizens will continue to be small.[2] No serious apprehensions

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[1] Federalist, No. LXVII. In A. D. 1800, twelve years after Hamilton wrote this passage, the contest for the Presidency lay between Jefferson and Aaron Burr, and Hamilton was compelled by his sense of Burr's demerits to urge his party to vote (when the choice came before the House of Representatives) for Jefferson, his own bitter enemy. What he thought of Burr, who, but for his intervention, would certainly have obtained the chief magistracy of the nation, may be inferred from the fact that he preferred as President the man of whom he thus writes: "I admit that his (Jefferson's) politics are tinctured with fanaticism; that he is too much in earnest in his democracy, that he has been a mischievous enemy to the principal measures of our past administration, that he is crafty and persevering in his objects, that he is not scrupulous about the means of success, nor very mindful of truth; and that he is a contemptible hypocrite. But, &c." (Letter to James A. Bayard, Jan. 16, 1801.)

After this it is superfluous, as it would be invidious, to dwell on the deficiencies of some recent Presidents or Presidential candidates.

[2] "The private fortunes of the President and Senators, as they must all be American citizens, cannot possibly be sources of danger." Federalist, No. LIV.

regarding the influence of wealth in elections or in politics generally are expressed.

The contingency of a division of the States into two antagonistic groups is not contemplated. When the possibility of State combinations is touched on, it is chiefly with reference to the action of small and of large States respectively. In particular no hint is dropped as to the likelihood of the institution of slavery becoming a bond to unite the Southern States and a cause of quarrel between them and the Northern.[1]

Although the mischiefs of faction are dwelt on, nothing indicates that its embodiment in highly developed party systems, whose organizations might overshadow the legal government, had occurred to any one's mind. Still less, of course, is there any anticipation of the influence to be exerted on politics by the distribution of offices.

Let us now see which of these views and forecasts have been verified by the event.

Of those put forth by the opponents of the Constitution not one has proved true. The States are still strong, the President is not a despot, though for a time during the war he came near being one, nor has he ever fallen under the influence of any European power. The House does not consist of the "wealthy and well born;" the large States do not combine against nor press hardly on the smaller; no great country has so few wars or indeed foreign complications of any kind. Although persons are still found who call the Senate "an oligarchy," they only state the undeniable fact that it consists of comparatively few persons, most of them wealthy, and that it has a strong corporate feeling in favor of the personal interests of each of its members. It is really as dependent on public opinion as the House, perhaps even more afraid of public opinion, and almost as directly the offspring of popular election. One is in fact surprised to find that of the many arrows

[1] But as to the early emergence of the opposition of Northern and Southern men over slavery, see the first chapter of Dr. Von Holst's History.

of accusation levelled at the Constitution, all should have flown wide of the mark.

The deeper insight and more exact thinking of Hamilton and Madison fastened upon most of the real and permanent weaknesses in popular government. Yet even they could not foresee the particular forms which those weaknesses would assume in the new nation. To examine in detail the eight points specified above would involve an examination of the whole of recent American history. I shall therefore simply indicate in a word or two the extent to which, in each case, the predictions of the *Federalist* may be deemed correct or the reverse.

1. The spirit of faction has certainly, as Madison expected, proved less intense over the large area of the Union than it did in the Greek republics of antiquity or in the several States from 1776 to 1789. On the other hand, the bonds of sympathy created by the Federal system have at times enabled one State to infect another with its own vehemence. But for South Carolina, there would have been no secession in 1861. To-day the "demon of faction" is less powerful in the parties than at any previous date since the so-called "Era of Good Feeling" in 1820.

2. Sudden popular impulses there have been. But finding a ready and constitutional expression in elections, they do not lead to physical violence, while the elaborate system of checks seldom allows them to result in dangerous Federal legislation. In the States the risk of bad laws is greater, but it is largely averted by the provisions of the Federal Constitution as well as by gubernatorial vetoes and the restrictions of recent State Constitutions.

3. The early history of the Union furnishes illustrations of feebleness and inconstancy in foreign policy, yet not greater than those which mark most monarchies. Royal caprice, or the influence of successive favorites, has proved more pernicious in absolute monarchies than popular fickleness in republics. That of late years the foreign policy of the United

States has been singularly consistent is due not so much to the Senate, nor even to the good sense of the people, as to the fact that the position and interests of the nation prescribe certain broad and simple lines.

4. On public matters, at least, Congress has not been prone to waste or excess in legislation. At present, it is more blameable for what it neglects or postpones than for what it enacts. The censure is more true of the States, especially the newer Western States.

5. The House of Representatives has doubtless sought to extend its sway at the expense of other departments. Whether it has succeeded is a question on which good observers in America itself differ; but the fact of their differing proves that the encroachments have not been considerable. Whenever the President is weak or unpopular, Congress seems to be gaining on the Executive Chief. When the latter is presumably strong, he can keep the Legislature at bay.

6. In the struggle which never quite ceases, though it is often scarcely noticed, between the States and the Federal Government, the States have rather lost than gained ground. Nor are the larger States more practically formidable than the small ones. No State would now venture to brave the Federal Judiciary as Georgia did, and did successfully, in the disgraceful case of the Cherokee Indians.

7. As regards the so-called tyranny of the majority, a question too large to be fully examined here, I must be content to remark that it has not hitherto proved a serious evil in America. This, however, is due rather to the character and habits of the people and their institutions generally than to the mere extent and population of the Union, on which the *Federalist* writers relied.

8. There is some foolish Congressional legislation, and, of course, much more foolish State legislation. But property is secure and the sense of civic duty seems, on the whole, to be improving.

It will appear from this examination and from the fact

(noted a few pages back) that some remarkable developments which political life has taken never crossed the minds of the authors of the *Federalist*, that these wisest men of their time did not foresee what strike us now as the specially characteristic virtues and faults of American democracy. Neither the spoils system nor the system of party nominations by wire-pullers crossed their minds. They did not foresee the inordinate multiplication of elections, nor the evils of confining eligibility for a seat in the legislature to a person resident in the electing district. No student of history will deem that this detracts from their greatness, for history teaches nothing more plainly than the vanity of predictions in the realm of what we call the moral and political sciences, in religion, in ethics, in sociology, in government and politics. Deep thinkers help us when they unfold those permanent truths of human nature which come everywhere into play. Historians help us when, by interpreting the past, they demonstrate what are the tendencies that have so prevailed in recent years as to create the present. Observers keen enough to read the mind of the present generation may help us by rendering it probable that those tendencies, or some new ones just appearing, will be ruling factors in the near future. But beyond the near future—that is to say, beyond the lifetime of the generation which already holds power—no true philosopher will venture. He may indulge his fancy in picturing the details of the remoter landscape; but he knows that it is a region fit for fancy, not for science. In the works of great thinkers there are to be found some happy guesses about times to come; but these are few, indeed, compared with the prophecies whose worthlessness was so soon revealed that men forgot they had ever been made, or the dreams which, like those of Dante, idealized an impossible future from an irrevocable past.

As regards the views of Hamilton and Madison, who, be it remembered, do not present themselves as prophets but as the censors of present evils, it may be added that the Constitution

which they framed and carried checked some of these very evils (*e. g.*, the unjust lawmaking and reckless currency experiments of the State legislatures); and that it was obviously impossible till the Federal government began to work to say how the existing forces could adapt themselves to it. Hamilton remarks in one of his letters that he holds with Montesquieu that a nation's form of government ought to be fitted to it as a suit of clothes is fitted to its wearer.[1] He would doubtless have added that it was difficult to make sure of the fit until the coat had been tried on.

The causes, moreover, which have affected the political growth of America are largely causes which were in 1788 altogether beyond human ken: the cotton gin, steam communications, Irish and German immigration have been supreme factors in that history; but even the first of these had not risen over the horizon in that year, and the last did not become a potent factor till half way through the present century.[2] What the sages of the Convention shew us, are certain tendencies they discern in their contemporaries, viz.:

1. Recklessness and unwisdom in the masses, producing bad laws.
2. Unwillingness to submit to or support a strong government.
3. Abuse by the majority of its legal power over the minority.
4. Indifference to national as compared with local and sectional interests, and consequent preference of State loyalty to national loyalty.

That each of these tendencies then existed and might have been expected to work for evil, admits of no doubt. But if we ask American history what it has to say about their subsequent course, the answer will be that the second and third tendencies

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[1] "I hold with Montesquieu that a government must be fitted to a nation as much as a coat to the individual; and consequently that what may be good at Philadelphia may be bad at Paris and ridiculous at Petersburgh." To Lafayette, Jan. 6th, 1799.

[2] The first cargo of cotton was sent from America to Europe in 1791 and the cotton gin invented in 1793.

have declined, and do not at present menace the public welfare, while the first, though never absent and always liable to marked recrudescence, as the annals of the several States prove, has done little harm in the sphere of National Government. As to the fourth, which Hamilton seems to have chiefly feared, it ultimately took the form not of a general centrifugal force, impelling each State to fly off from the system, but of a scheme for the separation of the Southern or slave-holding States into a separate Confederacy, and in this form it received, in 1865, a crushing and apparently final defeat.[1]

II. De Tocqueville and his Book.

Fifty-one years after the recognition of the independence of the United States, fifty-three years before the present year, Alexis de Tocqueville published his Democracy in America, one of the few treatises on the philosophy of politics which has risen to the rank of a classic. His book, therefore, stands half way between our own days and those first days of the Republic which we know from the writings of the Fathers, of Washington, Hamilton, Jefferson, Adams, Madison. It offers a means of measuring the changes that had passed on the country during the half century from the birth of the Union to the visit of its most famous European critic, and again from the days of that critic to our own.

It is a classic, and because it is a classic one may venture to canvas it freely, without the fear of seeming to detract from the fame of its author. The more one reads De Tocqueville, the more admiration does one feel for his acuteness, for the delicacy of his analysis, for the elegant precision of his reasonings, for the limpid purity of his style; above all for his love

[1] When we come to De Tocqueville, we shall find him touching but lightly on the two first of the above tendencies (partly, perhaps, because he attends too little to the State governments), but emphasizing the third and fearing from the fourth the dissolution of the Union.

of truth and the elevation of his views. He is not only urbane, but judicial; not only noble, but edifying. There is perhaps no book of the generation to which he belonged which contains more solid wisdom in a more attractive dress.

We have here, however, to regard the treatise not merely as a model of art and a storehouse of ethical maxims, but as a picture and criticism of the government and people of the United States. And before using it as evidence of their condition fifty years ago, some observations must be made as to the reliance we may place upon it.

The first observation is that not only are its descriptions of democracy as displayed in America no longer true in many points, but that in certain points they were never true. That is to say, some were true of America, but not of democracy in general, while others were true of democracy in general but not true of America. It is worth while to attempt to indicate the causes of such errors as may be discovered in his picture, because they are errors which every one who approaches a similar task has to guard against. De Tocqueville is not much read in the United States, where the scientific, historical and philosophical study of the institutions of the country, apart from the legal study of the Constitution, is of quite recent growth. He is less read than formerly in England and even in France. But his views of the American government and people have so passed into the texture of our thoughts that we cannot shake off his influence, and in order to profit by it are bound to submit his conclusions and predictions to a searching though respectful examination.

The defects of the book are due to three causes. He had a strong and penetrating intellect, but it moved by preference in the *a priori* or deductive path, and his power of observation, quick and active as it was, did not lead but followed the march of his reasonings. It will be found, when his method is closely observed, that the facts he cites are rather the illustrations than the sources of his conclusions. He had studied America carefully and thoroughly. But he wanted the neces-

sary preparation for that study. His knowledge of England, while remarkable in a foreigner, was not sufficient to show him how much in American institutions is really English, and explainable only from English sources.

He wrote about America, and meant to describe it fully and faithfully. But his heart was in France, and the thought of France, never absent from him, unconsciously colored every picture he drew. It made him think things abnormal which are merely un-French; it made him attach undue importance to phenomena which seemed to explain French events or supply a warning against French dangers.

He reveals his method in the introduction to his book. He draws a fancy sketch of a Democratic people, based on a few general principles, passes to the condition of France, and then proceeds to tell us that in America he went to seek the Type of Democracy—Democracy pure and simple—in its normal shape. *"J'avoue que dans l'Amérique, j'ai vu plus que l'Amérique: j'y ai cherché une image de la démocratie elle-même, de ses penchants, de son caractère, de ses préjugés, de ses passions."*

Like Plato in the *Republic*, he begins by imagining that there exists somewhere a Type or Pattern of Democracy, and as the American Republic comes nearest to this pattern, he selects it for examination. He is aware, of course, that there must be in every country and people many features peculiar to the country which reappear in its government, and repeatedly observes that this or that is peculiar to America, and must not be taken as necessarily or generally true of other Democracies. But in practice he underrates the purely local and special features of America, and often, forgetting his own scientific cautions, treats it as a norm for Democracy in general. Nor does he, after finding his norm, proceed simply to examine its facts and draw inferences from them. In many chapters he begins by laying down one or two large principles, he develops conclusions from them, and then he points out that the phenomena of America conform to these conclusions. Instead of drawing the character of Democracy from the aspects it

presents in America, he arrives at its character *a priori*, and uses those aspects only to point and enforce propositions he has already reached. It is not Democracy in America he describes, but Democracy illustrated from America. He is admirably honest, never conceding or consciously evading a fact which he perceives might tell against his theories. But being already prepossessed by certain abstract principles, facts do not fall on his mind like seeds on virgin soil. He is struck by those which accord with, he is apt to ignore those which diverge from his preconceptions. Like all *a priori* reasoners, he is peculiarly exposed to the danger of pressing a principle too far, of seeking to explain a phenomenon by one principle only when it is perhaps the result of an accidental concurrence of several minor causes. The scholasticism we observe in him is due partly to this deductive habit, partly to his want of familiarity with the actualities of politics. An instance of it appears in his tendency to over-estimate the value of constitutional powers and devices, and to forget how often they are modified, almost reversed in practice by the habits of those who use them. Though no one has more judiciously warned us to look to the actual working of institutions and the ideas of the men who work them rather than to their letter, he has himself failed to observe that the American Constitution tends to vary in working from its legal theory, and the name Legislature has prevented him, like so many other foreign observers, from seeing in the English Parliament an executive as well as a law-making body.

In saying that he did not know England, I fully admit that his knowledge of that great free government was far beyond the knowledge of most cultivated foreigners. He had studied its history, had lived among and learnt the sentiments of its aristocracy. But he had little experience of the ideas and habits of the middle class, whom the Americans then more resembled, and he was not familiar—as how could a stranger be?—with the details of English politics and the working of the English Courts. Hence he has failed to grasp the sub-

stantial identity of the American people with the English. He perceives that there are many and close resemblances, and traces much that is American to an English source. He has seen and described with perfect justness and clearness the mental habits of the English and American lawyer as contrasted with those of the French lawyer. But he has not grasped, as perhaps no one but an Englishman or an American can grasp, the truth that the American people is the English people, modified in some directions by the circumstances of its colonial life and its more popular government, but in essentials the same. Hence much which is merely English appears to De Tocqueville to be American or Democratic. The functions of the judges, for instance, in expounding the Constitution (whether of the Federation or of a State) and disregarding a statute which conflicts therewith, the responsibility of an official to the ordinary courts of the land, the co-existence of laws of a higher and lower degree of authority, seem to him to be novel and brilliant inventions instead of mere instances of general doctrines of English law, adapted to the circumstances of a colony, dependent on a Home Government or a State partially subordinated to a Federal Government. The absence of what the French call "Administration" and the disposition to leave people to themselves which strike him, would not surprise an Englishman accustomed to the like freedom. Much that he remarks in the mental habits of the ordinary American, his latent conservatism for instance, his indifference to amusement as compared with material comfort, his commercial eagerness and tendency to take a commercial view of all things, might have been just as well remarked of the ordinary middle-class Englishman, and has nothing to do with a Democratic Government. Other features which he ascribes to this last named cause, such as habits of easy social intercourse, the disposition to prize certain particular virtues, the readiness to give mutual help, are equally attributable to the conditions of life that existed among settlers in a wild country where few persons were raised by birth or wealth above their fellows, and every-

one had need of the aid of others—conditions whose results remain in the temper of the people even when the community has passed into another phase, a phase in which inequalities of wealth have already begun to be marked, and temptations have appeared which did not beset the Puritans of the seventeenth century.

It is no reproach to De Tocqueville that France formed to him the background of every picture whose foreground was the New World. He tells us frankly in the Introduction that the phenomena of social equality, as they existed in France, and the political consequences to be expected from them, filled his mind when he examined the institutions of America; he hoped to find there lessons by which France might profit: "J'ai voulu y trouver des enseignements dont nous puissions profiter." But with this purpose before him, he could hardly avoid laying too much stress on points which seemed to have instruction for his own countrymen, and from fancying those things to be peculiar and abnormal which stood contrasted with the circumstances of France. De Tocqueville is, perhaps of all eminent French writers, the least prone to assume the ways and ideas of his own country to be the rule, and those of another country the exception; yet even in him the tendency lurks. There is more than a trace of it in his surprise at the American habit of using without abusing political associations, and at the disposition of Legislatures to try experiments in legislation, a disposition which struck him chiefly by its contrast with the immutability which the Code of the First Empire seemed to have stamped upon the private law of France.

But this constant great reference to France goes deeper than the political philosophy of the book. It determines its scope and aim. The *Democracy in America* is not so much a political study as a work of edification. It is a warning to France of the need to adjust her political institutions to her social condition, and above all to improve the tone of her politics, to create a moral and religious basis for her national life, to

erect a new fabric of social doctrine, in the place of that which, already crumbling, the Revolution had overthrown. We must not, therefore, expect to find in him a complete description and criticism such as a German would have given of the government of America in all its details and aspects. To observe this is not to complain of the book. What he has produced is more artistic, and possibly more impressive than such a description would have been, as a landscape gives a juster notion of scenery than a map. His book is permanently valuable, because its reflections and exhortations are applicable, not merely to the Frenchmen of fifty years ago, but to mankind generally, since they touch upon failings and dangers permanently inherent to political society. Let it only be remembered that in spite of its scientific form, it is really a work of art rather than a work of science, and a work suffused with strong, though carefully repressed emotion.

The best illustration I can give of these tendencies of De Tocqueville will be found in a comparison of the first part of his work, published in 1834, and now included in the first and second volumes of recent editions with the second part published in 1840, and now forming the third volume. In the first part the author keeps close to his facts. Even when he has set out on the *a priori* road, he speedily brings his theory to the test of American phenomena: they give substance to, and (so to speak) steady the theory, while the theory connects and illumines them. But in the second part (third volume) he soars far from the ground and is often lost in the clouds of his own sombre meditation. When this part was written, the direct impressions of his transatlantic visit had begun to fade from his mind. With all his finesse and fertility, he had neither sufficient profundity of thought nor a sufficient ample store of facts gathered from history at large to enable him to give body and substance to his reflections on the obscure problems wherewith he attempts to deal.[1]

[1] Sainte Beuve says somewhere of him, "Il a commencé à penser avant d'avoir rien appris: ce qui fait qu'il a quelquefois pensé creux." Thiers

Hence, this part of the book is not so much a study of American democracy as a series of ingenious and fine-spun abstract speculations on the features and results of equality on modern society and thought, speculations which, though they have been singled out for admiration by some high judges, such as Ampère and Laboulaye, will appear to most readers over fanciful, over confident in their effort to construct a general theory applicable to the infinitely diversified facts of human society, and occasionally monotonous in their repetition of distinctions without differences and generalities too vague, perhaps too hollow, for practical use.

How far do these defects of De Tocqueville's work affect its value for our present purpose, that of discovering from it what was the condition, political, social, intellectual, of the United States in 1833 and what the forces that were then at work in determining the march of the nation and the development of its institutions?

It is but slightly that they impair its worth as a record of facts. De Tocqueville is so careful and so unprejudiced an observer that I doubt if there be a single remark of his which can be dismissed as simply erroneous. There is always some basis for every statement he makes. But the basis is occasionally too small for the superstructure of inference, speculation and prediction which he rears upon it. To borrow an illustration from chemistry, his analysis is always right so far as it is qualitative, often wrong where it attempts to be quantitative. The fact is there, but it is perhaps a smaller fact than he thinks, or a transient fact, or a fact whose importance is, or shortly will be, diminished by other facts which he has not adequately recognized.

When we pass from description to argument he is a less safe guide. By the light of subsequent experience we can perceive that he mistook transitory for permanent causes. Many

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once said, in the Chamber, "Quand je considère intuitivement, comme dirait M. de Tocqueville."

of the phenomena which he ascribes to democracy were due only to the fact that large fortunes had not yet grown up in America, others to the absence, in most parts of the country, of that higher education and culture which comes with wealth, leisure and the settlement of society. I have already observed that he sometimes supposes features of American politics to be novel and democratic which are really old and English, that he does not allow sufficiently for the imprint which colonial life had left on the habits and ideas of the people, an imprint which though it partly wears off with time, partly becomes transformed into something which, while you may call it democratic, remains different from the democracy of an old European country, and is not an index to the character of democracy in general.

It need hardly be said that the worth of a book like his is not to be measured by the number of flaws which a minute criticism can discover in it. Even a sovereign genius like Aristotle cannot be expected to foresee which of the influences he discerns will retain their potency: it is enough if his view is more piercing and more comprehensive than that of his greatest contemporaries; if his record shows the high water mark of the learning and philosophy of the time. Had history falsified far more of De Tocqueville's predictions than she has done, his work would still remain eminently suggestive and stimulating. And it is edificatory not merely because it contains precepts instinct with the loftiest morality. It is a model of that spirit of fairness and justice, that love of pure truth which is conspicuously necessary and not less conspicuously difficult in the discussion, even the abstract discussion, of the problems of political philosophy.

III. De Tocqueville's View of the United States.

Before we examine the picture of the social and political phenomena of America which De Tocqueville has drawn, let us see what were the chief changes that had passed on the

territory of the Union, on its material resources, on the habits and ideas of the people during the forty-six years that elapsed from the publication of the *Federalist* to that of the *Democracy in America.*

The territory of the United States had been extended to include the whole valley of the Mississippi, while to the northwest it stretched across the Rocky Mountains as far as the Pacific. All beyond the Missouri was still wilderness, much of it wholly unexplored, but to the east of the Mississippi there were now twenty-four States with an area of 2,059,043 square miles and a population of fourteen millions. The new Western States, though rapidly increasing, were still so raw as to exercise little influence on the balance of national power, which vibrated between the free Northern and the Southern Slave States. Slavery was not an immediately menacing question, for the first wound it made had been skinned over, so to speak, by the Missouri Compromise of 1820, but it was evidently pregnant with future trouble, for the number of slaves was rapidly increasing, and the slaveholders were already resolved to retain their political influence by the creation of new slave States. The great Federalist party had vanished, and the Republican-Democratic party, which had triumphed over it, had just been split up into several bitterly hostile factions. Questions of foreign policy were no longer urgent, for Europe had ceased to menace America, who had now no neighbors on her own continent except the British Crown on the north and the Mexican Republic on the south. The protective tariff and the existence of the United States Bank were the questions most agitated, but the main dividing party lines were still those which connected themselves with the stricter or looser interpretation of the Federal Constitution —that is to say, they were questions as to the extent of Federal power on the one hand, of the rights of the States on the other. New England was still Puritan and commercial, with a bias towards Protection, the South still agricultural, and in favor of free trade. The rule of the masses had made its greatest

strides in New York, the first among the other States which introduced the new methods of party organization and which thoroughly democratized (in 1846) her Constitution. Everywhere property qualifications for office or the electoral franchise were being abolished, and even the judges formerly nominated by the State Governor or chosen by the State Legislature, were beginning to be elected by universal popular suffrage and for terms of years. In fact a great democratic wave was passing over the country, sweeping away the old landmarks, destroying the respect for authority, casting office and power more and more into the hands of the humbler classes, and causing the withdrawal from public life of men of education and refinement. State feeling was still strong, especially in the South, and perhaps stronger than national feeling, but the activity of commerce and the westward movement of population were breaking down the old local exclusiveness, and those who saw steamboats plying on the Hudson and heard that locomotive engines were beginning to be run in England, might have foreseen that the creation of more easy, cheap and rapid communications would bind the sections of the country together with a new and irresistible power. The time was one of great commercial activity and great apparent prosperity; but large fortunes were still few, while in the general pursuit of material objects science, learning and literature had fallen into the background. Emerson was still a young Unitarian minister, known only to the circle of his own friends. Channing was just rising into note; Longfellow and Hawthorne, Prescott and Ticknor had not begun to write. Washington Irving was probably the only author whose name had reached Europe. How disagreeable the manners of ordinary people (for one must of course except the cultivated circles of Boston and Philadelphia) seemed to the European visitor may be gathered from the diaries of Richard Cobden and Sir Charles Lyell, who travelled in America a year or two after De Tocqueville. There was a good deal of ability among the ruling generation of statesmen—the genera-

tion of 1787 was just dying out with Madison—but only three names can be said to have survived in the world's memory, the names of three party leaders who were also great orators, Clay, Calhoun and Webster.[1]

In those days America was a month from Europe and comparatively little affected by Europe. Her people walked in a vain conceit of their own greatness and freedom, and scorned instruction from the effete monarchies of the Old World, which in turn repaid them with contemptuous indifference. Neither continent had realized how closely its fortunes were to be interwoven with those of the other by trade and the movements of population. No wheat, no cattle were sent across the Atlantic, nor had the flow of immigration from Ireland, much less from Germany, as yet begun.

The United States of 1834 had made enormous advances in material prosperity from those of 1789. They had become a great nation, and could become a great power as soon as they cared to spend money on fleets and armies. Their Federal government had stood the test of time and of not a few storms. Its component parts knew their respective functions, and worked with less friction than might have been expected. The sense of national unity, powerfully stimulated by the war of 1812,[2] was still growing. But the level of public life had not risen. It was now rather below than above that of average private society. Even in the realm of morality there were strange contrasts. A puritan strictness in some departments of conduct and a universal recognition of the sanctions of religion co-existed in the North with great commercial laxity, while the semi-civilized South, not less religious

[1] To none of whom, oddly enough, does De Tocqueville refer. He is singularly sparing in his references to individuals, mentioning no one except Jackson for blame, and Livingston (of the Louisiana Code and Secretary of State, 1831–33) for praise.

[2] An interesting discussion of the effects in this respect of the War of 1812 is contained in Mr. N. M. Butler's paper in the Johns Hopkins University Studies, No. VII of the Fifth Series.

and valuing itself on its high code of honor, was disgraced by the tolerance accorded to duels and acts of murderous violence, not to speak of the darker evils which slavery brought in its train. As respects the government of States and cities, democratic doctrines had triumphed all along the line. The masses of the people had now realized their power, and entered into the full fruition of it.[1] They had unlimited confidence in their wisdom and virtue, and had not yet discovered the dangers incidental to popular government. The wise elders, or the philosophic minds who looked on with distrust, were either afraid to speak out, or deemed it hopeless to stem the flowing tide. They stood aside (as Plato says) under the wall out of the storm. The party organizations had just begun to spread their tough yet flexible network over the whole country; and the class of professional politicians, at once the creator and the creature of such organizations, was already formed. The spoils of office had, three years before, been proclaimed to belong to the victors, but few saw to what consequences this doctrine was to lead. I will not say that it was a period of transition, for that is true of every period in America, so fast do events move even in the quietest times. But it was a period when that which had been democratic theory was passing swiftly into democratic practice, when the seeds sown long ago by Jefferson had ripened into a waving crop, when the forces which in every society react against extreme democracy were unusually weak, some not yet developed, some afraid to resist the stream.

IV. De Tocqueville's Impressions.

Let us see what were the impressions which the America of 1832 made on the mind of De Tocqueville. I do not pre-

[1] Dr. Von Holst gives at the beginning of the second part of his Constitutional History a powerful picture of the democratic revolution, and inswarming of a new class of men, which accompanied the election and installation of Andrew Jackson.

tend to summarize his account, which every student ought to read for himself, but shall be content with presenting those more salient points to which our comparison of 1832 with 1788 on the one hand, and 1887 on the other, relates.

He is struck by the thoroughness with which the principle of the Sovereignty of the People is carried out. Fifty-five years ago this principle was far from having obtained its present ascendancy in Western Europe. In America, however, it was not merely recognized in theory, but consistently applied through every branch of local, State and national government.

He is impressed by the greater importance to ordinary citizens of State government than of Federal government, and their warmer attachment to the former than to the latter. The Federal government seems comparatively weak, and in case of a conflict between the two powers, the loyalty of the people would be given rather to the State.[1]

The basis of all American government is to be found in the "commune," *i. e.*, in local government, the ultimate unit of which is in New England the township, in the Southern and Middle States the county. It is here that the bulk of the work of administration is done, here that the citizens learn how to use and love freedom, here that the wonderful activity they display in public affairs finds its chief sphere and its constant stimulus.

The absence of what a European calls "the administration" is remarkable. Public work is divided up between a multitude of petty and unrelated local officials: there is no "hierarchy," no organized civil service with a subordination of ranks. The means employed to keep officials to their work and punish offences are two: frequent popular election and the powers of invoking the ordinary courts of justice to obtain damages for negligence or unwarranted action. But along with the extreme "administrative decentralization" there exists a no less

[1] Note the singular fact that he does not give any description of a State as a commonwealth, nor characterize the general features of its government.

extreme "governmental centralization," that is to say, all the powers of government are collected into one hand, that of the people, the majority of the voters. This majority is omnipotent; and thus authority is strong, capable of great efforts, capable also of tyranny. Hence the value of local self-government which prevents the abuse of power by a central authority: hence the necessity for this administrative decentralization, which atones for its want of skill in details by the wholesome influence it exerts on the character of the people.

The judges enjoy along with the dignity of their European brethren the singular but most salutary power of "declaring laws to be unconstitutional," and thus serve to restrain excesses of legislative as well as executive authority.

The President appears to our author to be a comparatively weak official. No person, no group, no party, has much to hope from the success of a particular candidate at a Presidential election, because he has not much to give away. The elective system unduly weakens executive authority because a President who approaches the end of his four years' term feels himself feeble, and dares not take any bold step: while the coming in of a new President may cause a complete change of policy. His re-eligibility further weakens and abases him, for he must purchase re-election by intrigue and an unworthy pandering to the desires of his party. It intensifies the characteristic fault of democratic government, the predominance of a temporary majority.

The Federal Supreme Court is the noblest product of the wisdom of those who framed the Federal Constitution. It keeps the whole machine in working order, protecting the Union against the States, and each part of the Federal government against the aggressions of the others. The strength of the Federation, naturally a weak form of government, lies in the direct authority which the Federal courts have over the individual citizen: while their action, even against a State, is less offensive than might be expected because they do not directly attach its statutes, but merely, at the instance of an

individual plaintiff or defendant, secure rights which those statutes may have infringed.

The Federal Constitution is much superior to the State Constitutions; the Federal Legislature, Executive and Judiciary, are all of them more independent of the popular majority, and freer in their action than the corresponding authorities in the several States. Similarly the Federal government is better than those of the States, wiser, more skilful, more consistent, more firm.

The day of great parties is past: there is now a feverish agitation of small parties and a constant effort to create parties, to grasp at some principle or watchward under which men may group themselves, probably for selfish ends. Self-interest is at the bottom of the parties, yet aristocratic or democratic sentiment attaches itself to each of them, that is to say, when a practical issue arises, the old antithesis of faith in the masses and distrust of the masses reappears in the view which men and parties take of it. The rich mix little in politics. Secretly disgusted at the predominance of the crowd, they treat their shoemaker as an equal when they meet him on the street, but in the luxury of their own homes lament the vulgarity of public life and predict a bad end for democracy.

Next to the people, the greatest power in the country is the press: yet it is less powerful than in France, because the number of journals is so prodigious, because they are so poorly written, because there is no centre like Paris. Advertisements and general news occupy far more of their space than does political argument, and in the midst of a din of opposing voices, the ordinary citizen retains his dull fixity of opinion, the prejudices of his sect or party.

A European is surprised, not only by the number of voluntary associations aiming at public objects, but at the tolerance which the law accords to them. They are immensely active and powerful, and do not threaten public security as they would in France, because they admit themselves, by the very fact of their existence, to represent a minority of voters, and seek to prevail by force of argument and not of arms.

Universal suffrage, while it gives admirable stability to the government, does not, as people in Europe expect that it will, bring the best men to the top. On the contrary, the governors are inferior to the governed,[1] the best men do not seek either office or a seat in the House of Representatives, and the people, without positively hating the "upper classes" does not like them; and carefully keeps them out of power. "Il ne craint point les grands talents, mais il les goûte peu."

The striking inferiority of the House to the Senate is due to the fact that the latter is a product of double election, and it is to double election that democracies must come if they will avoid the evils inseparable from placing political functions in the hands of every class of the people.[2]

American magistrates are allowed a wider arbitrary discretion than is common in Europe, because they are more constantly watched by the sovereign people, and are more absolutely at its mercy.[3]

Every office is, in America, a salaried office; nothing can be more conformable to the spirit of a democracy. The minor offices are, relatively to Europe, well paid, the higher ones ill paid. Nobody wears any dress or displays any insignia of office.[4]

Administration has both an unstable and an unscientific character. Few records are kept of the acts of departments, little information is accumulated, even original documents

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[1] This is a common remark of visitors to America, but it arises from their mistaking the people they see in society for the "governed" in general. They go with introductions to educated people: if they mixed with the masses they would form a different notion of the "governed," as De Tocqueville rather oddly calls the ordinary citizens.

[2] It is remarkable that De Tocqueville should have supposed this to be the chief cause of the excellence he ascribes to the Senate.

[3] The only instance given of this is in the discretion allowed to the officers of the New England townships, whose functions are, however, unimportant. I greatly doubt if the statement is or ever was generally true.

[4] Still true as regards public offices, save and except the Judges of the Supreme Court when sitting at Washington.

are neglected. De Tocqueville was sometimes given such documents in answer to his queries, and told that he might keep them. The conduct of public business is a hand to mouth, rule of thumb sort of affair.[1]

Not less instability reigns in the field of legislation. Laws are being constantly changed; nothing remains fixed or certain.[2]

It is a mistake to suppose that democratic governments are specially economical. They are parsimonious in salaries, at least to the higher officials, but they spend freely on objects beneficial to the mass of the people, such as education, while the want of financial skill involves a good deal of waste. You must not expect economy where those who pay the bulk of the taxes are a mere fraction of those who direct their expenditure. If ever America finds herself among dangers, her taxation will be as heavy as that of the European monarchies.

There is little bribery of voters, but many charges against the integrity of politicians. Now the corruption of the governors is worse than that of the governed, for it lowers the tone of public morals by presenting the spectacle of prosperous turpitude.

The American democracy is self-indulgent and self-complacent, slow to recognize, still more slow to correct, its faults. But it has the unequalled good fortune of being able to commit reparable faults, of sinning with impunity (*la faculté de faire des fautes reparables*).

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[1] This has ceased to be true in Federal administration, and in that of the more advanced States.

[2] De Tocqueville does not say whether he intends this remark to apply to State legislation only or to Federal legislation also. He quotes dicta of Hamilton, Madison and Jefferson to the same effect, but these testimonies all refer to a time anterior to the creation of the Federal Constitution. Admitting that such instability did exist in 1832 as respects the States, one is tempted to believe that De Tocqueville was unconsciously comparing America with France, where the Code has arrested legislation to an extent surprising to an English observer. During the last thirty years there have been more important changes in the ordinary law annually made by the English Parliament than by most American legislatures.

It is eminently ill-fitted to conduct foreign policy. Fortunately it has none.

The benefits which American society derives from its democratic government are summed up as follows:

As the majority make the laws, their general tendency, in spite of many errors in detail, is to benefit the majority, because though the means may sometimes be ill chosen, the end is always the same. Hence the country prospers.

Every one is interested in the welfare of the country, because his own welfare is bound up with it. This patriotism may be only an enlarged egotism, but it is powerful nevertheless, for it is a permanent sentiment, independent of transient enthusiasms. Its character appears in the childish intolerance of criticism which the people display. They will not permit you to find fault with any one of their institutions or habits, not even if you praise all the rest.[1]

There is a profound respect for every political right, and therefore for every magistrate, and for the authority of the law, which is the work of the people themselves. If there be exceptions to this respect, they are to be found among the rich, who fear that the law may be made or used to their detriment.

The infinite and incessant activity of public life, the responsibilities it casts on the citizen, the sense of his importance which it gives him, have stimulated his whole nature, made him enterprising in all private affairs also. Hence, in great measure, the industrial prosperity of the country. Democracy effects more for the material progress of a nation than in the way of rendering it great in the arts, or in poetry, or in manners, or in elevation of character, or in the capacity for acting on others and leaving a great name in history.

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[1] Every one knows how prominent this trait is among the observations which European visitors pass upon America. It is now much less noticeable than formerly. I can even say from experience that it had sensibly diminished between 1870 and 1883.

We now come to the darker side of the picture. In democracies, the majority is omnipotent, and in America the evils hence flowing are aggravated by the shortness of the term for which a legislature is chosen, by the weakness of the Executive, by the incipient disposition to elect even the judges, by the notion universally received that the majority must be right. The majority in a legislature being unchecked, laws are hastily made and altered, administration has no permanence, officials are allowed a dangerously wide range of arbitrary authority. There is no escape from the tyranny of the majority. It dominates even thought, forbidding, not indeed by law but through social penalties no less effective than legal ones, the expression of any opinion displeasing to the ordinary citizen. In theology, even in philosophy, one must beware of any divergence from orthodoxy. No one dare tell an unwelcome truth to the people, for it will receive nothing but incense. Such repression sufficiently explains the absence of great writers and of great characters in public life. It is not therefore of weakness that the free government in America will ever perish, but by excess of strength, the majority driving the minority to despair and arms.

There are, however, influences which temper the despotism of the majority. One is the existence of a strong system of local self-government, whereby nearly all administration is decentralized. Another is the power of the lawyers, a class everywhere disposed to maintain authority and to defend that which exists, and specially so disposed in England and America because the law which they study and practice is founded on precedents and despises abstract reason. A third exists in the jury, and particularly the jury in its action in civil causes, for it teaches the people not only the regular methods of law and justice, but respect for law and for the judges who administer it.

Next we come to an enumeration of the causes which maintain republican government. They are, over and above the constitutional safeguards already discussed, the following:

The absence of neighboring States, and the consequent absence of great wars, of financial crises,[1] of invasions or conquests. How dangerous to republics is the passion for military glory is shown by the two elections of General Jackson to be President, a man of violent temper and limited capacity, recommended by nothing but the memory of his victory at New Orleans twenty years before.[2]

The absence of a great capital.

The material prosperity of the country, due to its immense extent and natural resources, which open a boundless field in which the desire of gain and the love of independence may gratify themselves and render the vices of man almost as useful to society as his virtues. The passions which really agitate America are commercial, not political.

The influence of religion. American Protestantism is republican and democratic: American Catholicism no less so; for Catholicism tends itself to an equality of conditions, since it treats all men alike. The Catholic clergy are as hearty republicans as any others.

The indirect influence of religion on manners and morality. Nowhere is marriage so much respected and the relations of the sexes so well ordered. The universal acceptance of Christianity, an acceptance which imposes silence even on the few sceptics who may be supposed to exist here as everywhere, steadies and restrains men's minds. "No one ventures to proclaim that everything is permissible in the interests of society. Impious maxim, which seems to have been invented in an age of liberty in order to give legitimacy to all tyrants to come."

The Americans themselves cannot imagine liberty without Christianity. And the chief cause why religion is so power-

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[1] This observation seems strange indeed to any one who has read the commercial history of the United States since the great crisis of 1838.

[2] Jackson's popularity began with his military exploit: but his hold on the people was due to other causes also. His election coincided with the rise of the great democratic wave already referred to.

ful among them is because it is entirely separated from the State.[1]

The intelligence of the people, and their education, but especially their practical experience in working their local politics. However, though everybody has some education, letters and culture do not flourish. They regard literature properly so called with disfavor: they are averse to general ideas. They have no great historian, not a single poet, legal commentators but no publicists, good artisans but very few inventors.[2]

Of all these causes, the most important are those which belong to the character and habits of the people. These are infinitely more important sources of well being than the laws, as the laws are in turn more important than the physical conditions.

Whether democracy will succeed in other parts of the world is a question which a study of America does not enable the observer confidently to answer. Her institutions, however suitable to her position in a world of her own, could not be transferred bodily to Europe. But the peace and prosperity which the Union enjoys under its democratic government do raise a strong presumption in favor of democracy even in Europe. For the passions and vices which attack free government are the same in America as in Europe, and as the legislator has overcome many of them there, combating envy by the idea of rights, and the presumptuous ignorance of the crowd by the practice of local government, he may overcome them here likewise.

One may suppose other institutions for a democracy than those the Americans have adopted, and some of them better ones. Since it seems probable that the peoples of Europe will

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[1] I do not profess to summarize in these few lines all that De Tocqueville says of the character and influence of Christianity in the United States, for he devotes many pages to it, and they are among the wisest and most permanently true that he has written.

[2] Can this have been true even in 1832?

have to choose between democracy and despotism, they ought at least to try the former, and may be encouraged by the example of America.

A concluding chapter is devoted to speculations on the future of the three races which inhabit the territories of the United States. (I need not transcribe what he says of the unhappy Indian tribes. Their fate was then already certain: the process which he saw passing in Alabama and Michigan is now repeating itself in California and Oregon.)

The presence of the blacks is the greatest evil that threatens the United States. They increase, in the Gulf States, faster than do the whites. They cannot be kept forever in slavery, the tendencies of the modern world run too strongly the other way. They cannot be absorbed into the white population for the whites will not intermarry with them, not even in the North where they have been free two generations. Once freed, they would be more dangerous than now, because they would not long submit to be debarred from political rights. A terrible struggle would ensue. Hence the Southern Americans, even those who regret slavery, are forced to maintain it, and have enacted a harsh code which keeps the slave as near as possible to a beast of burden, forbidding him to be taught and making it difficult for him to be manumitted. No one in America seems to see any solution. The North discusses the problem with noisy inquietude. The South maintains an ominous silence. Slavery is evidently economically mischievous, for the Free States are far more prosperous: but the South holds to slavery as a necessity.

As to the Federal Union, it shows many signs of weakness. The States have most of the important powers of government in their hands; they have the attachment of the people; they act with vigor and promptitude, while the Federal authority hesitates and argues. In every struggle that has heretofore arisen the Federal Government has given way, and it possesses neither the material force to coerce a rebellious State nor a clear legal right to retain a member wishing to dissolve the

Federal tie. But although the Union has no national patriotism to support it (for the professions of such patriotism one hears in America are but lip-deep), it is maintained by certain interests—the material interests which each part of the country has in remaining politically united with the rest. Against these one finds no strong interests making for material severance, but one does find diversities not indeed of opinion—for opinions and ideas are wonderfully similar over the whole country—but of character, particularly between Northern and Southern men, which increase the chances of discord. And in the rapid growth of the Union there lies a real source of danger. Its population doubles every twenty-two years. Before a century has passed its territory will be covered by more than a hundred millions of people and divided into forty States. Now all partnerships are more difficult to keep together the more the number of partners increases.[1] Even admitting, therefore, that this hundred millions of people have similar interests and are benefited by remaining united, still the mere fact that they will then form forty nations, distinct and unequally powerful, will make the maintenance of the Federal Government only a happy accident. "I cannot believe in the duration of a government whose task is to hold together forty different peoples spread over a surface equal to the half of Europe, to avoid rivalries, ambitions and struggles among them, and to unite the action of their independent wills for the accomplishment of the same plans."[2]

The greatest danger, however, which the Union incurs as it grows is the transference of forces which goes on within its own body. The Northern States increase more rapidly than the Southern, those of the Mississippi Valley more rapidly

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[1] No proof is given of this proposition, which is by no means self-evident, and which has indeed all the air of a premiss laid down by a schoolman of the thirteenth century.

[2] He has however nowhere proved that the States deserve to be called "peoples."

still. Washington, which when founded was in the centre of the Union, is now at one end of it. The disproportionate growth of some States menaces the independence of others. Hence the South has become suspicious, jealous, irritable. It fancies itself oppressed because outstripped in the race of prosperity and no longer dominant. It threatens to retire from a partnership whose charges it bears, but whose profits it does not share.[1]

Besides the danger that some States may withdraw from the Union (in which case there would probably be formed several federations, for it is highly unlikely that the original condition of State isolation would reappear), there is the danger that the central Federal authority may continue to decline till it has become no less feeble than was the old Confederation. Although Americans fear, or pretend to fear, the growth of centralization and the accumulation of powers in the hands of the Federal Government, there can be little doubt that the central Government has been growing steadily weaker, and is less and less able to face the resistance of a refractory State. The concessions of public territory made to the States, the hostility to the United States Bank, the (virtual) success of South Carolina in the Nullification struggle, are all proofs of this truth. General Jackson (then President) is at this moment strong, but only because he flatters the majority and lends himself to its passions. His personal power may increase, but that of the President declines. "Unless I am strangely mistaken, the Federal Government of the United States tends to become daily weaker, it draws back from one kind of business after another, it more and more restricts the sphere of its action. Naturally feeble, it abandons even the appearance of force. On the other side, I think I perceive that in the United States the sentiment of independence becomes more and more lively

[1] The protective tariff was felt as a grievance by the South, being imposed in the interest of the Northern and Middle States. No doubt, the North got more gain out of the Union than the South did.

in the States, and the tone of provincial government more and more pronounced. People wish to keep the Union, but to keep it reduced to a shadow: they would like to have it strong for some purposes and weak for the rest—strong in war and almost non-existent in peace—forgetting that such alternations of strength and weakness are impossible."

Nevertheless the time when the Federal power will be extinguished is still distant, for the continuance of the Union is desired, and when the weakness of the Government is seen to threaten the life of the Union, there may be a reaction in its favor.

Whatever may be the future of the Federation, that of republicanism is well assured. It is deeply rooted not only in the laws, but in the habits, the ideas, the sentiments, even the religion of the people. It is indeed just possible that the extreme instability of legislation and administration may some day disgust the Americans with their present government, and in that case they will pass rapidly from republicanism to despotism, not stopping by the way in the stage of limited monarchy. An aristocracy, however, such as that of the old countries of Europe, can never grow up. Democratic equality will survive, whatever be the form which government may take.

This brief summary, which gives no impression of the elegance of De Tocqueville's reasonings, need not be pursued to include his remarks on the commercial and maritime greatness of the United States, nor his speculations on the future of the Anglo-American race. Still less shall I enter on the second part of the book, for (as has been observed already) it deals with the ideas of democracy and equality in a very abstract and sometimes unprofitable way, and would need a separate critical study.

But before passing on to consider how far the United States now differ from the republic which the French philosopher described, we must pause to ask ourselves whether his description was complete.

It is a salutary warning to those who think it easy to get to the bottom of the political and social phenomena of a nation, to find that so keen and so industrious an observer as De Tocqueville, who has seized with unrivalled acuteness and described with consummate art many of the minor features of American politics, has omitted to notice several which had already begun to show their heads in his day, and have since become of the first importance. Among these are

The system of party organization. It was full grown in some States (New York for instance), and spreading quickly through the rest.

The influence of commercial growth and closer commercial relations in binding together different States of the Union and breaking down the power of State sentiment. He does once refer to this influence, but is far from appreciating the enormous power it was destined to exercise, and must have exercised even without railways.

The results of the principle proclaimed definitely just before his visit, that public office was to be bestowed for political service alone, and held only so long as the party which bestowed it remained in power.

The rise of the Abolitionists (they had begun to organize themselves before 1830 and formed a National Anti-Slavery Society in 1833) and the intense hostility they aroused in the South.

The growth of the literary spirit, and the beginnings of literary production. The society which produced Hawthorne, Emerson, Longfellow, Channing, Thoreau, Prescott, Ticknor, Margaret Fuller—not to add some equally famous living names—deserved mention as a soil whence remarkable fruits might be expected which would tell on the whole nation. Yet it is not once referred to, although one can perceive that De Tocqueville had spent some time in Boston, for many of his views are due to the conversations he held with the leading Whigs of that day there.

The influence of money on politics. It might have been

foretold that in a country with such resources and among a people of such restless commercial activity, great piles of wealth would soon be accumulated, that this wealth would find objects which it might accomplish by legislative aid, would seek to influence government, and would find ample opportunities for doing so. But of the dangers that must thence arise we do not hear a word.

V. Examination of De Tocqueville's Views and Predictions.

Such were the United States in 1832, such the predictions which an unusually penetrating and philosophic mind formed of their future. I will not attempt to enquire whether his picture is in all respects accurate, because it would be unprofitable to contest his statements without assigning one's own reasons, while to assign them would lead me into a historical disquisition. A shorter and simpler course will be to enquire in what respects things have changed since his time, for thus we shall be in a position to discern which of the tendencies he noted have proved permanent, what new tendencies have come into being, what are those in whose hands the destinies of the Republic now lie.

I have noted at the end of last section the phenomena which, already existing in De Tocqueville's time, he omitted to notice or to appraise at their due value. Let us see what time has brought forward since his day to alter the conditions of the problem as he saw it.

The great events that have befallen since 1834, are these:

The annexation of Texas in 1845.

The war with Mexico in 1846, leading to the enlargement of the United States by the vast territories of California, Nevada, Utah, Idaho, Arizona and New Mexico.

The making of railways over the whole country culminating with the completion of three great Trans-Continental roads in 1869, 1881 and 1883 respectively.

The establishment of lines of swift ocean steamers between America and Europe.

The immigration from Ireland (immensely increased after the famine of 1846), and from Germany (beginning somewhat later).

The War of Secession, 1861–65.

The laying of submarine cables to Europe, and extension of telegraphic communication over the whole Union.

The settlement of the Alabama claims, an event scarcely less important in American history than in English, because it has immensely diminished the likelihood of a war between the two countries. In De Tocqueville's time the hatred of Americans to England was rancorous.[1]

The growth of great cities. In 1830, only two had a population exceeding 100,000. There are now (census of 1880) twenty which exceed that population.

The growth of great fortunes, and of wealthy and powerful trading corporations: the stupendous development of speculation, not to say gambling, in stocks, shares and produce.

The growth of the universities and of many kindred literary and scientific institutions.

These are events which have told directly or indirectly upon politics. I go on to enumerate the political changes themselves of the same fifty years.

The democratization of State Constitutions, total abolition of property qualifications, choice of judges by popular vote and for terms of years, restrictions on the power of State Legislatures, more frequent use of the Referendum.[2]

Development of the spoils system, consequent degradation of the increasingly large and important civil service, both Federal, State, and Municipal.

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[1] "Il est impossible d'imaginer une haine plus venimeuse que celle des Americains contre les Anglais."

[2] In the form of the amendment of particular provisions of State Constitutions.

Perfection and hierarchical consolidation, on nominally representative, but really oligarchic lines, of party organizations; consequent growth of Rings and Bosses, and demoralization of city government.

Manumission and subsequent enfranchisement of the negroes in the Southern States.

Intensification of the national (as opposed to State) sentiment consequent on the War of Secession; passion for the national flag; rejection of the dogmas of State sovereignty and right of nullification.

To these I add, as powerfully affecting politics, the development not only of literary, scientific and historical studies, but in particular of a new school of publicists, who discuss constitutional and economic questions in a philosophic spirit; closer intellectual relations with Europe, and particularly with England and Germany; increased interest of the best class of citizens in politics; improved literary quality of the newspapers and of periodicals (political and semi-political) generally; growth of a critical and sceptical spirit in matters of religion and philosophy; diminished political influence of the clergy.

We may now ask which of De Tocqueville's observations have ceased to be true, which of his predictions falsified. I follow the order in which they were presented in last chapter.

Although the powers of the several States remain in point of law precisely what they were (except as regards the Constitutional amendments presently to be noticed) and the citizen depends as much on the State in all that relates to person and property, to the conduct of family and commercial relations, the National or Federal Government has become more important to him than it was then. He watches its proceedings more closely, and, of course, thanks to the telegraph, knows them sooner and more fully. His patriotism is far more national, and in case of a conflict between one or more States and the Federal power, the sympathies of the other States would almost certainly be with the latter.

Local government has been maintained in its completeness,

but it seems to excite less interest among the people. In the larger cities it has fallen into the hands of professional politicians, who have perverted it into a grasping and sordid oligarchy.

There is still, as compared with Continental Europe, wonderfully little "administration." One is seldom reminded of the existence of a government. But the influence of Federal legislation on the business of the country is more considerable, for the tariff and the currency, matters of immense consequence ever since the war, are in its hands.

The dignity of the judicial bench has in most States suffered seriously from the system of popular election for comparatively short terms. In those States where nomination by the Executive has been retained, and in the case of the Federal Judges (nominated by the President) their position is perhaps the highest permanent one open to a citizen.

The President's authority received a portentous increase during the war, and although it has now returned to its normal condition, the sense of its importance has survived. His election is contested with increasing excitement, for his immense patronage and the magnitude of the issues he may influence by his veto power gives individuals and parties the strongest grounds for hope and fear. Experience has, on the whole, confirmed the view that the re-eligibility of an acting President (*i. e.*, the power of electing him for an immediately succeeding term) might be dispensed with.

The credit of the Supreme Court suffered somewhat from its pro-slavery decisions just before the war, and has suffered slightly since in respect to its treatment of the Legal Tender question. Nevertheless it remains respected and influential.

The State Constitutions, nearly all of which have been re-enacted or largely amended since 1834, remain inferior to the Federal Constitution, and the State legislatures are, of course (possibly with a few exceptions in the New England States), still more inferior to Congress.

Two great parties reappeared immediately after De Tocqueville wrote, and except for a brief interval before the war when

the Whig party had practically expired before its successor and representative the Republican party had come to maturity, they have continued to divide the country, making minor parties of slight consequence. Now and then an attempt is made to start a new party as a national organization, but it rarely becomes strong enough to maintain itself. The rich and educated renewed their interest in politics under the impulse of the Slavery and Secession struggle. After an interval of subsequent apathy they seem to be again returning to public life. The secret murmurs against democracy, whereof De Tocqueville speaks, are confined to a mere handful of fashionable exquisites less self-complacent now than they were in the days when they learnt luxury and contempt for the people in the Paris of Louis Napoleon.

Although the newspapers are much better written than formerly and those of the great cities travel further over the country, the multitude of discordant voices still prevents the people from being enslaved by the press. The habit of association by voluntary societies continues to grow.

The deficiencies of the professional politicians, a term which now more precisely describes those whom De Tocqueville calls by the inappropriate European name of the governors, continue marked.

So, too, the House of Representatives continues inferior to the Senate, but for other reasons than those which De Tocqueville assigns, and to a less degree than he describes. The Senate has latterly not maintained the character he gives it.

Whether American magistrates did ever in general enjoy the arbitrary power De Tocqueville ascribes to them, may be doubted. They do not enjoy it now, but in municipalities there is a growing tendency to concentrate power in the hands of one or a few officers in order that the people may have some one person on whom responsibility can be fixed. A few minor offices are unsalaried; the salaries of the greater ones have been raised, particularly in the older States.

The methods of administration, especially of Federal admin-

istration, have been much improved, but are still behind those of Europe, one or two departments excepted.

Government is far from economical. The war of the Rebellion was conducted in the most lavish way: the high protective tariff raises a vast revenue and direct local taxation takes more from the citizen than in most European countries.

Congress does not pass many statutes, nor do they greatly alter the law. Many legislative experiments are tried in the newer States, but the ordinary private law is in no such condition of mutability as De Tocqueville describes. The law of England suffered more changes between 1868 and 1885 than either the common or statute law of the older States of the Union.

The respect for the rights of others, for the regular course of law, for the civil magistrate, remains strong; nor have the rich (at least till within the last year or two) begun to apprehend any attacks on them, otherwise than as stockholders in great railway and other corporations.

The tyranny of the majority does not strike one as a serious evil in the America of to-day, though to be sure people are always foretelling the mischief it will do. It cannot act through a State legislature so much as it may have done in De Tocqueville's days, for the wings of these bodies have been generally clipped by the newer State constitutions. Faint are the traces which remain of that intolerance of heterodoxy in politics, religion or social views whereon he dilates. Politicians on the stump still flatter the crowd, but many home truths are told to it nevertheless in other ways and places, and the man who ventures to tell them need no longer fear social proscription in the Northern or Western States, perhaps not even in the Southern.

The Republic has come scatheless out of a great war, and although the laurels of the general who concluded that war twice secured for him the Presidency, they did not make his influence dangerous to freedom. There is indeed no great capital, but there are cities greater than most European capi-

tals, and the Republic has not been imperilled by their growth. The influence of the clergy on public affairs has declined: whether or no that of religion has also been weakened it is more difficult to say. But every body continues to agree that religion gains by its entire detachment from the State.

The negro problem remains, but it has passed into a new and for the moment less threatening phase. Neither De Tocqueville nor any one else could have then foreseen that manumission would come as a war measure, and be followed by the grant of full political rights. It is no impeachment of his judgment that he omitted to contemplate a state of things in which the blacks have been made politically the equals of the whites, while immeasurably inferior in every other respect, and destined, apparently, to remain wholly separate from them. He was right in perceiving that fusion was not possible, and that liberation would not solve the problem, because it would not make the liberated fit for citizenship. His remark that the social repulsion between the races in the South would probably be greater under freedom than under slavery has so far been strikingly verified by the result.

All the forces that made for the maintenance of the Federal Union are now stronger than they were then, while the chief force that opposed it, viz., the difference of character and habits between North and South, largely produced by the existence of slavery, tends to vanish. Nor does the growth of the Union make the retention of its parts in one body more difficult. On the contrary, the United States is a smaller country now when it stretches from the Bay of Fundy to the Gulf of California, with its sixty millions of people, than it was then with its thirteen millions, just as the civilized world was larger in the time of Herodotus than it is now, for it took twice as many months to travel from Persepolis or the Caspian Sea to the Pillars of Hercules as it does now to circumnavigate the globe, one was obliged to use a greater number of languages, and the journey was incomparably more dangerous.

Before steamboats plied on rivers, and trains ran on railways, three or four weeks at least were consumed in reaching Missouri from Maine. Now one goes in seven days of easy travelling from Portland in Maine to Portland in Oregon. Nor has the increased number of States bred more dissensions. The thirty-eight states are not as De Tocqueville assumes, and this is the error which vitiates his reasonings, thirty-eight nations. The differences in their size and wealth have become greater, but they work more harmoniously together than ever heretofore, because neither the lines which divide parties nor the substantial issues which affect men's minds coincide with State boundaries. The Western States are now, so far as population goes, the dominant section of the Union, and become daily more so. But their interests link them more closely than ever to the North, through which their products pass to Europe, and the notion once entertained of moving the capital from Washington to the Mississippi valley has been quietly dropped.

Before bidding farewell to De Tocqueville, let us summarize his conclusions and his predictions.

He sees in the United States by far the most successful and durable form of democratic government that has yet appeared in the world.

Its merits are the unequalled measure of freedom, as respects action, not thought, which it secures to the ordinary citizen, the material and social benefits it confers on him, the stimulus it gives to all his practical faculties.

These benefits are likely to be permanent, for they rest upon the assured permanence of

Social equality.

Local self-government.

Republican institutions.

Widely diffused education.

It is true that these benefits would not have been attained so quickly nor in such ample measure but for the extraordinary natural advantages of the New World. Nevertheless, these

natural advantages are but subsidiary causes. The character of the people, trained to freedom by experience and by religion, is the chief cause, their institutions the second, their material conditions only the third; for what have the Spaniards made of like conditions in Central and South America?

Nevertheless, the horizon is not free from clouds.

What are these clouds?

Besides slavery and the existence of a vast negro population they are:

The conceit and ignorance of the masses, perpetually flattered by their leaders, and therefore slow to correct their faults.

The withdrawal from politics of the rich, and inferior tone of the governors, *i. e.* the politicians.

The tyranny of the majority, which enslaves not only the legislatures, but individual thought and speech, checking literary progress, preventing the emergence of great men.

The concentration of power in the legislatures (Federal and State), which weakens the Executive, and makes all laws unstable.

The probable dissolution of the Federal Union, either by the secession of recalcitrant States or by the slow decline of Federal authority.

There is therefore warning for France in the example of America. But there is also encouragement—and the encouragement is greater than the warning.

Of these clouds one rose till it covered the whole sky, broke in a thunderstorm and disappeared. Some have silently melted into the blue. Some still hang on the horizon, darkening large parts of the landscape. But how near may be the danger they threaten, and how serious, are questions fitter to be discussed by Americans than by a European.